



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Facsimile and First Class Mail

Mr. G. Vinson Hellwig
Chief, Air Quality Division
Michigan Department of Environmental Quality
Constitution Hall
252 West Allegan Street
Post Office Box 30260
Lansing, Michigan 48909-7760

Re: Enforcement Discretion - Detroit, Michigan

Dear Mr. Hellwig:

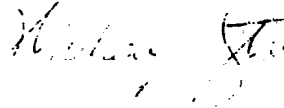
I am writing in response to your letter of August 15, 2003, in which the Michigan Department of Environmental Quality requests that the United States Environmental Protection Agency (EPA) exercise its enforcement discretion regarding potential violations of Michigan's State Implementation Plan (SIP) for low Reid Vapor Pressure (RVP) conventional gasoline, 62 Fed. Reg. 24,341-24,343 (May 5, 1997); 40 C.F.R. § 52.1170(c). You state that gasoline suppliers for the seven county Detroit metropolitan area (Detroit area) are currently experiencing difficulties providing compliant 7.8 pounds per square inch (psi) conventional gasoline (CG) because of the current electrical power outage in the Northeastern United States and Detroit, Michigan.

Accordingly, EPA will exercise enforcement discretion for regulated parties supplying the Detroit area. EPA will allow these regulated parties to sell, offer for sale, dispense, supply, offer for supply, transport or introduce into commerce gasoline with a RVP that meets the requirements of 40 C.F.R. § 80.27 for use in Michigan during the high ozone season. However, to the extent practicable, regulated parties must take all reasonable steps to provide gasoline to the Detroit area with a RVP that meets the Michigan SIP requirement of 7.8 psi. This exercise of enforcement discretion is effective immediately and will continue until midnight on Friday, August 22, 2003. This enforcement discretion does not relieve any person from any other

requirements set forth in Michigan's SIP. EPA will continue to monitor the situation and make determination in the near future whether a further grant of enforcement discretion is necessary.

If you have questions, please call Mr. Bruce C. Buckheit, Director of the Air Enforcement Division, at (202) 564-2260.

Sincerely



John Peter Suarez
Assistant Administrator

cc American Petroleum Institute
202-682-8031 (FAX)

National Petroleum Refiners Association
202-457-0486 (FAX)

Petroleum Marketers Association of America
703-351-9160 (FAX)

John Mooney, U.S. EPA, Region 5
312-886-0617 (FAX)